

The venue provision is deleted as unnecessary in light of the venue provisions of Title 6 of the Courts Article.

11-308. SHORT TITLE.

THIS SUBTITLE MAY BE CITED AS THE MARYLAND GASOLINE PRODUCTS MARKETING ACT.

REVISOR'S NOTE: This section presently appears as Art. 23, §167B.

The only changes are in style.

SUBTITLE 4. UNFAIR SALES ACT.

11-401. DEFINITIONS.

(A) IN GENERAL.

IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

REVISOR'S NOTE: This subsection is new language used as the standard introductory language to a definition section.

(B) COST TO THE RETAILER.

"COST TO THE RETAILER" MEANS THE LESSER OF THE INVOICE COST OR THE REPLACEMENT COST OF THE MERCHANDISE TO THE RETAILER; MINUS ANY TRADE DISCOUNT OTHER THAN A CUSTOMARY DISCOUNT FOR CASH; PLUS

(1) A FREIGHT CHARGE OTHERWISE NOT INCLUDED IN THE INVOICE COST OR THE REPLACEMENT COST OF THE MERCHANDISE;

(2) A CARTAGE COST TO THE RETAIL OUTLET IF PERFORMED OR PAID FOR BY THE RETAILER, WHICH, IN THE ABSENCE OF PROOF OF A LESSER COST, IS 0.75 PERCENT OF THE COST TO THE RETAILER, AFTER ADDING THE FREIGHT CHARGE BUT BEFORE ADDING THE CARTAGE COST AND ANY MARKUP;

(3) A MARKUP TO COVER IN PART THE COST OF DOING BUSINESS, WHICH, IN THE ABSENCE OF PROOF OF A LESSER COST, IS 5 PERCENT OF THE COST TO THE RETAILER, AFTER ADDING THE FREIGHT CHARGE AND THE CARTAGE COST BUT BEFORE ADDING ANY MARKUP; AND

(4) AN ADDITIONAL MARKUP TO COVER IN PART THE COST OF DOING BUSINESS, WHICH, IN THE ABSENCE OF PROOF OF A LESSER COST, IS 2 PERCENT OF THE COST TO THE RETAILER, AFTER ADDING THE FREIGHT CHARGE AND THE CARTAGE COST BUT